

REMARKS

Applicant's remarks below are preceded by quotations of relevant remarks from the office action in bold-face, small type.

3. Applicant's argument, "Applicant does not agree or accede to examiner's interpretation of Claim 48," filed 5 March 2001 have been fully considered but they are not persuasive.

In the previous action, as per Claim 59 which was rejected under 112 2nd as being indefinite because it was unclear how the telephone keypad of line 4 is part of the television of claim 10, from which it depends. The language of Claim 48 lines 4-8 requires that the two-way interface be part of the commodity. If the commodity is a television, then the keypad or remote must be associated with the television, not a separate unit such as a set top box or a telephone keypad, which are well known in the art, see Von Kohorn (5,227,874).

4. Claim 59 is rejected under 35 U. S. C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear how the numeric keypad of line 4 differs from the keypad of line 3, as part of the television of claim 57 from which it depends. Television keypads are known to be exclusively numeric, therefore, the keypads of line 3 and 4 are the identical. Further, no support is found in the specification for other keypads associated with the claimed television.

Claim 59 has been amended.

5. Claim 48-51, 61, 62, 75-78 are rejected under 35 U.S.C. 102(e) as being anticipated by Hill (6,131,088).

As per Claim 48.

Hill ('088) discloses:

units of a commodity that are used by respective users in different locations, see column 2, lines 7-9;

a user interface which is part of each of the units of the commodity and provides

a medium for two-way local interaction between one of the users and the corresponding units of the commodity for generating information about use of the unit of the commodity by a user, see column 2, lines 9-11;

a communication element that is associated with each of the units of the commodity and carries results of the two-way local interaction from each of the units of the commodity to a central location, see column 2, lines 12-16;

software that manages the interactions of the users in different locations and collection of the results of the interactions at the central location, see column 2, line 16-27.

Hill discloses a system for sending a user an electronic catalog that includes information about different products, e.g., products sold by a vendor. See, for example:

The present invention relates to an electronic catalog system. More particularly, the present invention relates to an improved electronic catalog system capable of providing a customer at a remote location with accurate updated product information from a vendor each time the customer uses the electronic catalog system. (column 1, lines 14 to 18, Hill)

One object of the present invention is to provide the customer with an instantaneous distribution of the latest catalog data available. In operation, the customer browses through general catalog data residing on the customer's computer and determines the exact catalog data required. For example, the customer can select a specific product from a list of products on the customer's computer. (column 2, lines 7-13, Hill)

Electronic catalog system menu first displays main categories from which the customer may choose to obtain information is illustrated at block 254. These main categories at block 254 include a list of several catalog products from which the customer can choose. A customer enters a selected product and customer's computer 18 reads the selection at block 256. For illustrative purposes, we will assume that the customer has selected to obtain information related to electric motors. It is understood, however, that various other products could be entered or selected depending upon the specific product information stored on customer's computer 18 and vendor's computer 12. (column 15, line 58 to column 16, line 2, Hill)

The system disclosed by Hill differs substantially from the claimed system. According to the system of Hill, the user interacts with a computer displaying information about products from a catalog. An example of a product suggested by Hill is an electric motor (see column 15, line 66, quoted above). In Hill, there is no teaching or suggestion that the user interact with the product itself, much less an interface that is part of the product.

In contrast, the system of claim 48 includes units of commodity and a user interface that is part of each of these units. The user interface provides a medium for two-way interaction between one of the users and the unit of the commodity for generating information about use of the commodity. Results of the interaction are carried to a central location. In contrast, Hill makes no teaching nor suggestion that a product of the catalog, e.g., the electrical motor, include a user interface for a two-way interaction between a user and the product.

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Applicant asks that all claims be allowed. Enclosed is a \$36 check for excess claim fees.
Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: 8/10/01



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Version with Marked Changes

In the claims:

Claim 59 has been amended as follows:

59. (twice amended) The system of claim 57 in which the two-way interaction comprises posing questions to a user on a television screen concerning use of the commodity and receiving answers from the user expressed through a keypad[,] or a held-held remote [, or a numeric keypad].